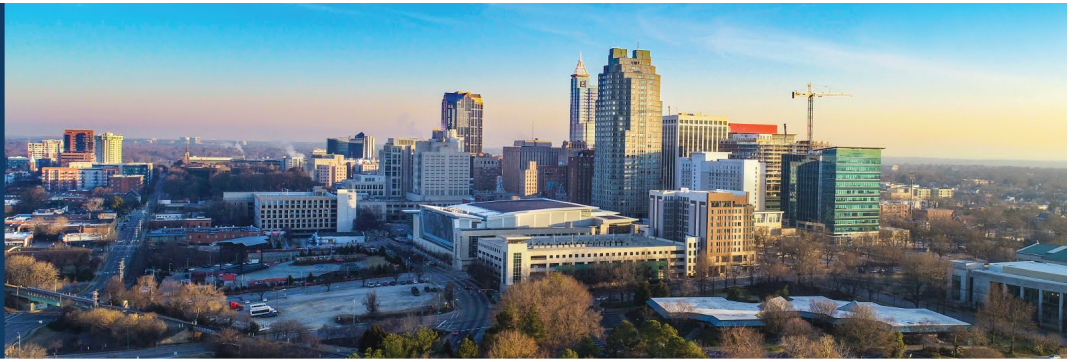


Manager's Update

raleighnc.gov



Issue 2023-38

September 29, 2023

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INFORMATION:

Regular Council Meeting Tuesday, October 3 - Afternoon and Evening Sessions

Reminder that Council will meet next **Tuesday** in regularly scheduled sessions at **1:00 P.M.** and **7:00 P.M.** The agenda for the meeting was published on Thursday:

<https://go.boarddocs.com/nc/raleigh/Board.nsf/Public>

Please note there will be a **Closed Session** immediately following the afternoon session of the Council meeting.

Reminder: If there is an item you would like to have pulled from the consent agenda for discussion, please send an e-mail mayorstaff@raleighnc.gov by 11 A.M. on the day of the meeting.

Housing Publication Recognized with Award

Staff Resource: Lamont Taylor, Housing & Neighborhoods, 996-4330, lamont.taylor@raleighnc.gov

The City's [Affordable Housing 101](#) booklet and web content is being recognized with an award at the NC Housing Coalition Awards Breakfast on October 24. The work is being awarded in the "Outstanding Public

Education Materials” category. Staff is honored to be recognized in this important category to bring awareness to affordable housing in Raleigh. Special thanks to staff with the Housing and Neighborhoods department, who together with colleagues in Communications produced the award-winning publication.

(No attachments)

Weekly Digest of Special Events

Staff Resource: Sarah Heinsohn, Office of Special Events, 996-2200, sarah.heinsohn@raleighnc.gov

Included with the *Update* materials is the special events digest for the upcoming week.

(Attachment)

Council Member Follow Up Items

Short Term Rental Information (Council Member Patton)

Staff Resource: Travis Crane, Planning 919-996-2656, travis.crane@raleighnc.gov

Staff received a series of email questions through CM Patton’s policy analyst regarding short-term rental facilities. The regulations have been in place since 2019 (as amended in 2021). Included with the *Update* materials is a staff memorandum providing a brief history of the use and the ideas explored during idea formulation, permit issuance, and zoning code enforcement history.

(Attachment)

Follow up from the August 15 Council Meeting

Additional Funding for Oak City Cares (Mayor Baldwin)

Staff Resource: John Niffenegger, Housing and Neighborhoods, 996-6961, john.niffenegger@raleighnc.gov

During the meeting, Council asked that staff review ongoing need for additional funding for operating costs for Oak City Cares.

Staff has reached out to Oak City Cares to determine additional funding needs to be included in the FY24-25 supplemental budget request. Housing and Neighborhoods will review and include a recommendation during the FY24-25 budget process.

(No attachments)

Follow up from the September 19 Council Meeting

Mackinac Island Lane –Traffic Calming Eligibility (MPT Branch)

Staff Resource: Will Shumaker, Transportation, 996-4175, william.shumaker@raleighnc.gov

During the meeting, Council requested an update from staff on the eligibility for traffic calming along Mackinac Island Lane and the surrounding neighborhood located within the Battle Ridge Subdivision. Included with the *Update* materials is a staff memorandum prepared in response to this request.

(Attachment)

Weekly Events Digest

Friday, September 29 – Thursday, October 5

City of Raleigh Office of Special Events
specialevents@raleighnc.gov | 919-996-2200 | raleighnc.gov/special-events-office

Permitted Special Events

[IBMA Bluegrass Live!](#)

Fayetteville Street District

Friday, September 29 & Saturday, September 30

Event Times: 12:00pm - 11:00pm on 9-29-23 & 9-30-23

Associated Road Closures: Lenoir Street between S. Dawson Street and S. McDowell Street will be closed from 6:00am on 9-28-23 until 7:00am on 10-1-23. The following roads will be closed from 6:00pm on 9-28-23 until 7:00am on 10-1-23:

- Fayetteville Street between Hargett Street and Lenoir Street (note that local traffic will have access to the 500 block of Fayetteville Street)
- Martin Street between S. Salisbury Street and S. Wilmington Street
- Davie Street between S. Salisbury Street and S. Wilmington Street
- Cabarrus Street between S. McDowell Street and S. Salisbury Street
- Gale Street between W. Cabarrus Street and the parking deck
- South Street between S. Salisbury Street and S. Wilmington Street
- Lenoir Street between S. Salisbury Street and S. Wilmington Street

[RaleighWRLD Summerfest](#)

Dorothea Dix Park, Flowers Field

Saturday, September 30

Event Time: 2:00pm - 8:00pm

Associated Road Closures: Flowers Field will be used and Dawkins Drive between Umstead Drive and the Kirby Parking Lot entrance will be closed from 7:00am until 10:00pm.

[Black Flea Market](#)

Raleigh Union Station Plaza

Sunday, October 1

Event Time: 1:00pm - 5:00pm

Associated Road Closures: No roads will be closed for the event. Union Station Plaza will be used from 12:00pm until 6:00pm every Sunday through 10-29-23.

[Raleigh Night Market](#)

City Market

Wednesday, October 4

Event Time: 5:00pm - 9:00pm

Associated Road Closures: Parham Street between Martin Street and Wolfe Street, and Wolfe Street between Blount Street and Blake Street will be closed from 3:00pm until 10:00pm.

Other Upcoming Events

[12th Annual Raleigh Blues Festival](#)

Friday, September 29

Memorial Auditorium

[Ms. Pat: Ya Girl Done Made It](#)

Friday, September 29

Meymandi Concert Hall

[IBMA's World of Bluegrass Main Stage](#)

Friday, September 29 & Saturday, September 30
Red Hat Amphitheater

[Rain Garden and Rain Barrel Workshop](#)

Saturday, September 30
Walnut Creek Wetland Park

[Brincos Dieras – Elite Comedy Fest](#)

Saturday, September 30
Meymandi Concert Hall

[Adventure Awaits](#)

Saturday, September 30
Fred Fletcher Park

[Old Dominion](#)

Saturday, September 30
PNC Arena

[Firebird – Carolina Ballet](#)

Saturday, September 30 & Sunday, October 1
Fletcher Opera Theater

[Moore Square Market](#)

Sunday, October 1
Moore Square

[Downtown Raleigh Restaurant Week 2023](#)

Monday, October 2 – Sunday, October 8
Downtown Raleigh

[Hozier](#)

Tuesday, October 3
Red Hat Amphitheater

[NC Courage World Cup Panel](#)

Thursday, October 5
Fletcher Opera Theater

[Zac Brown Band](#)

Thursday, October 5
Coastal Credit Union Music Park at Walnut Creek

Public Resources

[Pilot Text Alert Program](#): Sometimes spontaneous events happen downtown and in other areas that could affect local businesses. If you'd like to receive notifications when those events happen, including unpermitted ones, sign up for text alerts.

[Event Feedback Form](#): Tell us what you think about Raleigh events! We welcome feedback and encourage you to provide comments or concerns about any events regulated by the Office of Special Events. We will use this helpful information in future planning.

Weekly Events Digest

Friday, September 29 – Thursday, October 5

City of Raleigh Office of Special Events
specialevents@raleighnc.gov | 919-996-2200 | raleighnc.gov/special-events-office

[Road Closure and Road Race Map](#): A resource providing current information on street closures in Raleigh.

[Online Events Calendar](#): View all currently scheduled events that impact city streets, public plazas, and Dorothea Dix Park.

Council Member Follow Up

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Travis R. Crane, Assistant Director
Department	Planning and Development
Date	September 29, 2023
Subject	City Council Follow Up Item/AirBnB Data

Council Member Patton received questions from a constituent via email regarding short term rental regulations (“AirBnB”). Staff initially responded to the request via email. This memorandum provides additional history and context.

Short term rental regulations were enacted in the Unified Development Ordinance in May 2019 after a robust community discussion. The discussion spanned several City Council sessions and included multiple draft ordinances and a task force. The ordinance was amended in 2021 to include a provision that would allow whole-house rentals, a use that was previously excluded. During various discussion and meetings, many potential approaches were explored, including limitation on location by district, limitation by distance (physical separation between units), requirement for an on-site manager, content of permit, and ability/requirement for vehicular parking. Each one of these potential standards was explored in great detail.

The constituent email asked questions related to the City’s ability to track analytics from the third parties and the subsequent regulations enacted by the State Legislature. The constituent also asked about the City’s ability to regulate corporate entities, such as Limited Liability Corporations. Staff does not have a method for tracking analytics from the property owners, as there are many entities who engage in short term rental. While AirBnB is popular in this market, they are not the only corporation who created a website to ease in property reservation. To wit, there are many citizen homeowners who take advantage of the regulation. Similarly, the City cannot regulate LLCs in a manner different from private property owners.

The State Legislature enacted a law to ease in the collection of County taxes, which does not involve the City. The operator can submit the lodging tax levied directed to the

County in a lump sum. The has been case law decided upon that speaks to the issue of short term rentals.

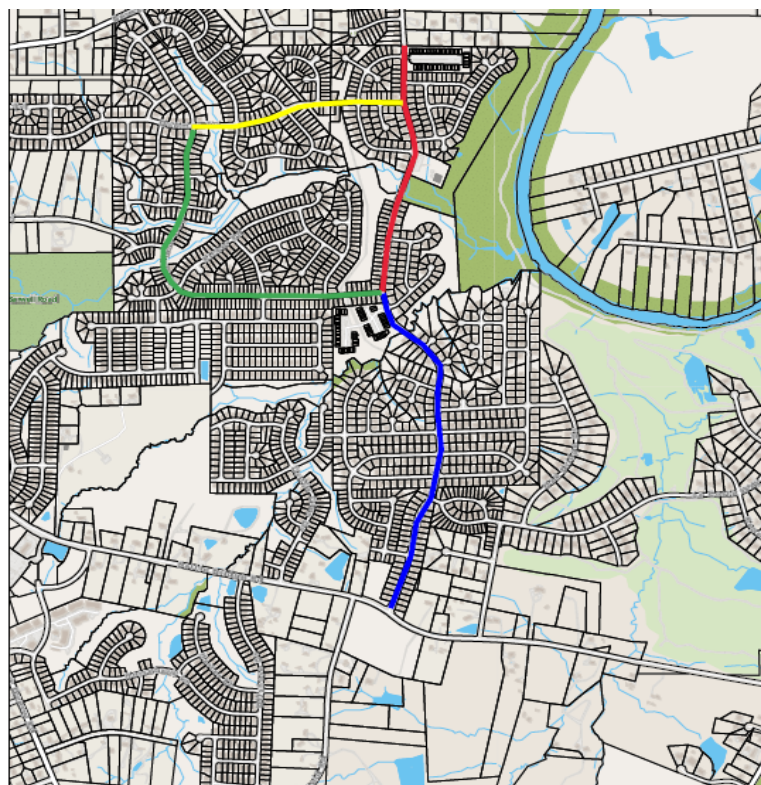
The tools available to the City involves requirement for permit and subsequent code enforcement regulation. These tools, while imperfect, allow for the best avenue to assist a homeowner in achieving compliance. Like many uses, the City requires a permit to establish a short term rental on a property. The City does not take a “patrolling” approach to code enforcement; rather, it is entirely compliant driven.

	2021	2022	2023 (to date)
Permits Issued	187	323	159
Violations Investigated	6	28	13
Violations Substantiated	6	25	10

Since adoption of the ordinance, there have been 47 total complaints about short term rentals. When staff receives a complaint, an investigation begins. Staff will visit the property and attempt to contact the property owner. Where a violation is noted in the table above, (“Violations Substantiated”) the result is typically submittal and issuance of a permit. Of these 47 complaints, six were unfounded with no evidence of a violation. Where there is a difference between “Violations Investigated” and “Violations Substantiated”, the complaint is still in process.

To	Marchell Adams-David, City Manager
Thru	Paul Kallam, Acting Transportation Director
From	Will Shumaker, Mobility Development Supervisor
Department	Transportation
Date	September 29, 2023
Subject	Mackinac Island Lane (Battle Ridge Subdivision) – Traffic Calming Eligibility

Residents within the Battle Ridge Subdivision have worked closely with the Neighborhood Traffic Management Program (NTMP), and several streets within the subdivision are in varying stages of project eligibility, engagement, design, and construction for a traffic calming project.



Battle Ridge Subdivision - Traffic Calming

- Mackinac Island Lane - North: Barrington Dr to Marshlane Way - Project Approved: Construction late 2023/2024
- Mackinac Island Lane - South: Marshlane Way to Battle Bridge Road - Project in Active Engagement/Design: if approved, Construction late 2023/early 2024
- Marshlane Way: Quitman Trl to Mackinac Island Ln - Project completed Spring 2023
- Quitman Trail: Marshlane Way to Mackinac Island Ln - Evaluated March 2023 and qualifies. Ranked 89th out of 109 currently eligible streets

N

0 400 800 1,600
1 inch equals 800 feet

Disclaimer:
Maple makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use or its interpretation.

The NTMP policy stipulates that traffic calming projects are a maximum of approximately one mile in length and streets greater than this distance are split into multiple projects. Mackinac Island Lane is approximately 1.25 miles in length and has been split into two sections: Mackinac Island Lane – North and Mackinac Island Lane – South.

Mackinac Island Lane – North, between Barrington Drive and Marshlane Way, was previously identified as a qualifying street and was taken to Council as part of the 2022 Traffic Calming Project List. Staff worked to generate a traffic calming project design while incorporating the input and design suggestions from the surrounding residents. The neighborhood was balloted in November 2022 and the residents supported the construction of this project with 100% of the on-street participants and 90.48% of the neighborhood participants. Staff presented the project and ballot results at the February 7, 2023 Council meeting, where authorization to move to construction activities was granted unanimously. Since approval, staff has worked to complete survey and construction document preparation in advance of any infrastructure project. Pre-construction activities are close to completion and staff is expecting to take this project to bid in the coming months, with a possible start time of late 2023 or early 2024 depending on contractor schedule and weather. City staff has updated our website to inform the neighborhood on the project status and have posted the approved layout. This information can be reviewed by using the following link: <https://raleighnc.gov/transit-streets-and-sidewalks/services/neighborhood-traffic-management/final-traffic-calming>

Mackinac Island Lane – South, between Marshlane Way and Battle Bridge Road, was presented at the February 7, 2023 Council meeting where staff brought forward the top 20 ranking streets associated with NTMP's 2023 work plan, which Council approved unanimously. Since that time, staff has been working on a layout and engaging with the residents surrounding the southern half of the street. Staff held an Introductory & Preliminary Design meeting in May 2023, where staff introduced the neighborhood to the process, offered information about traffic calming, presented a best practice layout to the neighborhood, and received questions and comments. Staff has updated the layout per the first round of comments from the neighborhood as well as make adjustments based on staff's further evaluation of the street. Postcards alerting the neighborhood of the Final Design comment period were put into the mail the week of September 11, 2023. Staff will be fielding comments, answering questions, and engaging with the residents through the rest of the month with the comment period ending on October 13, 2023. A Final Ballot will be sent to the neighborhood immediately following the closing of this comment period asking them if they support the construction of this project. If the ballot thresholds are met through the neighborhood vote, staff will bring the ballot results to Council in the November/December to request authorization for construction. If authorization is approved, staff will work to move this project to construction, estimated to be 6-8 months after Council's approval. A link to the project resources, layout, and

engagement opportunities can be found by using the following link:
<https://raleighnc.gov/transportation/services/neighborhood-traffic-management/final-design-comment-period>

Marshlane Way, between Quitman Trail and Mackinac Island Lane, was presented to Council at the February 1, 2022 City Council meeting, requesting authorization for construction, which was granted unanimously. After approval, staff worked to transition the project to delivery. The Marshlane Way project was advertised for construction in October/November 2022 and the Notice to Proceed with construction activities was issued in February 2023. This project was completed in Spring 2023 and staff is currently observing this project to ensure the project is functioning as intended. As of September 20, 2023, after-project speed data is not currently available, however there have been zero reported crashes along Marshlane Way since construction of the project was completed. A full after-study evaluation will be performed in January/February 2024 to officially measure effectiveness of the recently completed project.

Quitman Trail, between Marshlane Way and Mackinac Island Lane, was evaluated by staff in March 2023. After the evaluation was completed, the 85th percentile speed was approximately 33-mph in a 25-mph zone, with 1 speed related crash in the previous three years. The street currently ranks 89th out of 109 eligible streets for a traffic calming project. Given the dynamic nature of the NTMP project list with new evaluations being incorporated into the project rankings throughout the year, it is very difficult to put an accurate timeline for a future project offering. Based on the street's current ranking, staff estimates it would be 4-5 years before they could see a project. A re-evaluation can be requested in March of 2024 if desired by the neighborhood.